



General Assembly

January Session, 2005

Committee Bill No. 59

LCO No. 3462

03462SB00059GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING ELECTION DAY VOTER REGISTRATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-17 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2006*):

3 (a) For the purposes of this section, "primary day" means the day
4 that a primary for state, district and municipal offices is being held in
5 accordance with section 9-423, and "election day" means the day of
6 each regular election. (1) The registrars of voters of each town shall
7 hold sessions to examine the qualifications of electors and admit those
8 found qualified on the dates and at the times set forth in this section.
9 Such sessions shall be held on the following days during the hours
10 indicated, except as provided in subdivision (2) of this subsection:

T1	Day	Hours
T2	Fourteenth day	
T3	before primary day	any two hours between
T4		5:00 p.m. and 9:00 p.m.

T5	<u>Primary day.....</u>	<u>6:00 a.m. to 8:00 p.m.</u>
T6	Saturday of third week	
T7	before election day	10:00 a.m. to 2:00 p.m.
T8	Fourteenth day	
T9	before election day	9:00 a.m. to 8:00 p.m.
T10	<u>Election day.....</u>	<u>6:00 a.m. to 8:00 p.m.</u>

11 The session of the registrars of voters on the fourteenth day before
 12 election day shall be the last regular session for the admission of
 13 electors prior to an election, as defined in subsection (y) of section 9-1.

14 (2) No town having a population of less than twenty-five thousand
 15 persons shall be required to hold sessions for admission of electors on
 16 the fourteenth day before primary day. (3) The sessions on primary
 17 day and election day shall be held in accordance with the provisions of
 18 section 3 of this act.

19 (b) Notwithstanding the provisions of subsection (a), the registrars
 20 of voters shall hold a limited session on the last week day before each
 21 regular election from nine o'clock a.m. to twelve o'clock noon for the
 22 purpose of admitting only those persons whose qualifications as to
 23 age, citizenship or residence in the municipality were attained after the
 24 last session for the admission of electors prior to an election. The
 25 registrars shall enter the names of those electors admitted at such
 26 limited session on the proper list, with their residences by street and
 27 numbers, if any, before one o'clock p.m. of such last week day before
 28 the election.

29 (c) In addition to the sessions held pursuant to subsections (a) and
 30 (b) of this section, the registrars of voters in each town shall hold one
 31 session each year, between the first of January and the last day of the
 32 school year, at each public high school in such town, for the admission
 33 of persons who are eligible for admission under subsection (a) or (b) of
 34 section 9-12, provided, in the case of a public high school in a regional
 35 school district, such session shall be held on a rotating basis by the

36 registrars of voters for each town which is a member of the regional
37 school district. The registrars of voters need not give notice of this
38 session by publication in a newspaper.

39 Sec. 2. Section 9-23a of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective January 1, 2006*):

41 (a) Except as provided in subsection (b) of this section and section 3
42 of this act, no person admitted as an elector after twelve o'clock noon
43 on the last business day before a primary shall be permitted to vote in
44 such primary.

45 (b) An applicant for admission or enrollment under section 9-26
46 shall be entitled to vote in a primary if he files his application for
47 admission or enrollment with the town clerk before the day of the
48 primary and is otherwise eligible to vote in the primary.

49 Sec. 3. (NEW) (*Effective January 1, 2006*) The registrars of voters shall
50 examine the qualifications of electors at the session held on the day
51 that a primary for state, district and municipal offices is being held in
52 accordance with section 9-423 of the general statutes or the day of a
53 regular election, pursuant to section 9-17 of the general statutes, as
54 amended by this act, or on the day that a presidential preference
55 primary is held under section 9-464 of the general statutes, and admit
56 those found qualified in accordance with the provisions of section 9-20
57 of the general statutes, as amended by this act, except that:

58 (1) Each applicant for admission shall present to the registrars a
59 preprinted form of identification that shows the applicant's name and
60 residence within the municipality in which the applicant is applying. If
61 the applicant does not have a preprinted form of identification that
62 includes a photograph of the applicant, the registrars shall provide for
63 a photograph of the applicant to be taken;

64 (2) (A) In addition to the application for admission as an elector
65 submitted to the registrars of voters, the applicant shall also submit a

66 statement substantially as follows, which the applicant shall sign
67 under oath or affirmation:

68 I swear or affirm that:

69 1. I meet the eligibility requirements to be an elector as indicated on
70 today's application for admission as an elector;

71 2. I have not registered or voted this day in any other election
72 jurisdiction; and

3. I have read and understand the Warning Notice below to mean that I can be convicted of perjury and imprisoned for not more than five years or be fined not more than five thousand dollars, or both, if I sign this statement knowing it to be false.

77 Signature Date

78 Warning Notice: If you sign this statement not believing it to be
79 true, you can be convicted of perjury and imprisoned for not more
80 than five years or be fined not more than five thousand dollars, or
81 both.

(B) All statements of the applicant shall be made under the penalties of perjury pursuant to section 53a-156 of the general statutes. Any applicant shall be guilty of perjury if the applicant intentionally makes a false statement, under oath or affirmation, of a fact that the applicant does not believe to be true;

(3) If the registrars admit the applicant as an elector, the registrars shall give the elector a notice of acceptance, on a form as prescribed by the Secretary of the State, that indicates the elector's voting district and polling place. The registrars shall attach to such notice a copy of the identification presented by the elector and any such photograph taken of the elector. The registrar shall affix a permanent seal and signature to the notice and such copies. The elector shall present such notice and copies at the polling place to confirm the elector's eligibility to vote;

95 (4) The assistant registrars at a polling place shall add to the
96 supplementary list the name of each elector who presents a notice of
97 acceptance and copies of identification pursuant to subdivision (3) of
98 this section. The assistant registrars shall place the letters "ED" next to
99 the name of each such elector;

100 (5) If the registrars admit an applicant as an elector, the registrars
101 shall also attach a copy of the identification presented by the applicant
102 to the elector's registration card until the registrars mail a confirmation
103 of the elector's admission to the elector's residential address and
104 sufficient time passes to ensure delivery of the confirmation by the
105 United States Postal Service; and

106 (6) If the registrars admit an applicant as an elector and, upon
107 subsequent investigation in accordance with the National Voter
108 Registration Act of 1993, P.L. 103-31, cannot validate the applicant, the
109 registrars shall place the name of the applicant on the inactive registry
110 list and forward such name to the State Elections Enforcement
111 Commission.

112 Sec. 4. (NEW) (*Effective January 1, 2006*) The Secretary of the State, in
113 cooperation with the Registrars of Voters Association of Connecticut,
114 shall train persons to train registrars of voters concerning the
115 provisions of section 9-17 of the general statutes, as amended by this
116 act, and section 3 of this act. After receiving such training, registrars of
117 voters shall train their deputies and assistants and other election
118 officials concerning said provisions.

119 Sec. 5. Section 9-158a of the general statutes is repealed and the
120 following is substituted in lieu thereof (*Effective January 1, 2006*):

121 As used in sections 9-139c, 9-140b, 9-158a to 9-158m, inclusive, and
122 9-307:

123 (1) "Federal election" means any general or special election or any
124 primary held solely or in part for the purpose of selecting, nominating

125 or electing any candidate for the office of President, Vice President,
126 presidential elector, member of the United States Senate or member of
127 the United States House of Representatives;

128 (2) "Former resident" means a person who was a bona fide resident
129 of a town in this state and who has [removed] moved from that town
130 to another state less than thirty days before the day of a presidential
131 election and who for that reason is unable to register to vote in the
132 election in [his] such person's present [town or] state of residence;

133 (3) "Overseas elector" means any person permitted to vote pursuant
134 to subsection (b) of section 9-158b;

135 (4) "Presidential election" means an election at which electors of
136 President and Vice-President are elected;

137 (5) "Resident" means a bona fide resident of a town in this state;

138 (6) "State" includes any of the several states, the District of
139 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
140 Islands; and

141 (7) "United States" includes the several states, the District of
142 Columbia, the Commonwealth of Puerto Rico, Guam and the Virgin
143 Islands, but does not include American Samoa, The Canal Zone, the
144 trust territory of the Pacific Islands or any other territory or possession
145 of the United States.

146 Sec. 6. Subsection (a) of section 9-158b of the general statutes is
147 repealed and the following is substituted in lieu thereof (*Effective*
148 *January 1, 2006*):

149 (a) Each citizen of the United States who is at least eighteen years of
150 age, is a [resident or] former resident and [who] has not forfeited [his]
151 such citizen's electoral privileges because of a disfranchising crime,
152 may vote for presidential and vice-presidential electors, but for no
153 other offices, in the town in this state in which [he resides, or] such

154 citizen formerly resided in the manner provided in sections 9-158c to 9-
155 158m, inclusive, as amended by this act.

156 Sec. 7. Subsection (a) of section 9-158c of the general statutes is
157 repealed and the following is substituted in lieu thereof (*Effective*
158 *January 1, 2005*):

159 (a) (1) Not earlier than forty-five days before the election and not
160 later than the close of the polls on election day, each resident, or
161 former resident who desires to vote in a presidential election under
162 sections 9-158a to 9-158m, inclusive, as amended by this act, may apply
163 for a "presidential ballot" to the municipal clerk of the town in which
164 [he] such former resident is qualified to vote on the form prescribed in
165 section 9-158d, as amended by this act. Application for a "presidential
166 ballot" may be made in person or absentee, in the manner provided for
167 applying for an absentee ballot under section 9-140, except as provided
168 in said sections 9-158a to 9-158m, inclusive.

169 (2) A municipal clerk shall have the authority to designate a location
170 in a municipal facility for the distribution, completion and processing
171 of presidential ballot applications and the distribution, casting and
172 return of presidential ballots under sections 9-158a to 9-158m,
173 inclusive, as amended by this act, on election day. Such municipal
174 clerk may appoint one or more presidential ballot assistants to serve at
175 such location, may delegate to such assistants any of the
176 responsibilities assigned to municipal clerks under said sections, and
177 shall train and supervise such presidential ballot assistants.

178 Sec. 8. Subsection (a) of section 9-158d of the general statutes is
179 repealed and the following is substituted in lieu thereof (*Effective*
180 *January 1, 2006*):

181 (a) The application for a presidential ballot shall be a form signed in
182 duplicate by the applicant under penalty of false statement in absentee
183 balloting, which shall provide substantially as follows:

184 To the Town Clerk of the Town of ..., Connecticut

185 I, the undersigned, declare under penalty of false statement in
186 absentee balloting that the following statements are true:

187 1. I am a citizen of the United States.

188 2. I have not forfeited my electoral privileges because of conviction
189 of a disfranchising crime.

190 3. I was born on ..., and on the day of the next presidential election,
191 I shall be at least 18 years of age. [Check and complete 4 or 5,
192 whichever applies:]

193 [4. RESIDENT. I am a bona fide resident of the above town, to
194 which I am making this application, and I reside at ... Street. I moved
195 to said town on the ... day of ..., 20... Before becoming a resident of
196 said town, I resided at ... Street, in the Town of ... County of ..., State
197 of ...]

198 [5.] 4. FORMER RESIDENT. I am a former resident of the above
199 town, to which I am making this application, and resided at ... Street
200 therein. I moved from such town to my present town of residence on
201 the ... day of ..., 20..., being within thirty days before the date of the
202 next presidential election, and for that reason I cannot register to vote
203 in said presidential election in my present town of residence. I am now
204 a bona fide resident of the Town of ..., in the state of ..., now residing
205 at ... Street therein.

206 [6.] 5. I hereby apply for a "presidential ballot" for the election to be
207 held on ..., 20... I have not voted and will not vote otherwise than by
208 this ballot at that election. I am not eligible to vote for electors of
209 President and Vice-President [in any other town in Connecticut or] in
210 any other state.

211 [7.] 6. The said ballot is to be given to me personally mailed to me at

212 (bona fide mailing address)

213 Dated at ..., this ... day of ... 20...

214 (Signature of applicant)

215 Sec. 9. Subsection (a) of section 9-158e of the general statutes is
216 repealed and the following is substituted in lieu thereof (*Effective*
217 *January 1, 2006*):

218 (a) A person applying for a presidential ballot in person shall
219 present: (1) A current and valid photo identification, or (2) a copy of a
220 current utility bill, bank statement, government check, paycheck or
221 other government document that shows the name and address of the
222 voter. The application for a presidential ballot by mail shall be
223 accompanied by: (A) A copy of a current and valid photo
224 identification, or (B) a copy of a current utility bill, bank statement,
225 government check, paycheck or government document that shows the
226 name and address of the voter. Upon receipt of an application for a
227 presidential ballot under sections 9-158a to 9-158m, inclusive, as
228 amended by this act, the clerk, if satisfied that the application is proper
229 and that the applicant is qualified to vote under said sections, shall
230 forthwith give or mail to the applicant, as the case may be, a ballot for
231 presidential and vice-presidential electors for use at the election and
232 instructions and envelopes for its return. At such time the clerks shall
233 also mail a duplicate of the application to the appropriate official of [(i)
234 the state or the town in this state in which the applicant last resided in
235 the case of an applicant who is a resident, or (ii) the state or the town in
236 this state] the state in which the applicant now resides. [in the case of
237 an applicant who is a former resident.]

238 Sec. 10. Section 9-158j of the general statutes is repealed and the
239 following is substituted in lieu thereof (*Effective January 1, 2006*):

240 Upon receipt of an application for a "Presidential Ballot" or
241 "Overseas Ballot" the town clerk shall forthwith notify the registrars of

242 voters of the applicant's name, with a notation designating [him] the
243 applicant as a person voting for presidential and vice-presidential
244 electors or federal offices only. If the name of a presidential voter [who
245 is a former resident] appears on the registry list, the registrars shall
246 insert the letters "pf" in the margin preceding [his] the voter's name.
247 The registrars shall prepare a list of names and addresses of
248 presidential voters and overseas electors whose names do not appear
249 on the registry list, for each voting district, which list shall accompany
250 the check list to be used at such election in such district. The registrars
251 shall insert the letters "pf" in the margin of such list of presidential
252 voters preceding the name of each applicant, [who is a former
253 resident.]

254 Sec. 11. Section 9-158k of the general statutes is repealed and the
255 following is substituted in lieu thereof (*Effective January 1, 2006*):

256 The municipal clerk shall file each duplicate application or other
257 official information received by [him] such clerk from another state, [or
258 from another town in this state,] indicating that a person who formerly
259 resided [or presently resides] in such town has made application to
260 vote at a presidential election in such other state, [or town,] and shall
261 maintain an alphabetical index of such information for a period of one
262 hundred eighty days after the election. The clerk shall compare each
263 such application or statement of information with applications made
264 under the provisions of sections 9-158a to 9-158m, inclusive, as
265 amended by this act, and, after the election, with the names checked
266 off as having voted on the check list for the election, to ascertain that
267 any such person has not voted more than once. Whenever the record
268 indicates that any person has applied for a presidential ballot and
269 indicated in [his] such person's application that [he] such person is
270 applying as a former resident, and there is record evidence that such
271 person has applied in another state [or town] as a new resident, the
272 applicant's ballot shall not be cast in [his] such person's former town of
273 residence.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2006</i>	9-17
Sec. 2	<i>January 1, 2006</i>	9-23a
Sec. 3	<i>January 1, 2006</i>	New section
Sec. 4	<i>January 1, 2006</i>	New section
Sec. 5	<i>January 1, 2006</i>	9-158a
Sec. 6	<i>January 1, 2006</i>	9-158b(a)
Sec. 7	<i>January 1, 2005</i>	9-158c(a)
Sec. 8	<i>January 1, 2006</i>	9-158d(a)
Sec. 9	<i>January 1, 2006</i>	9-158e(a)
Sec. 10	<i>January 1, 2006</i>	9-158j
Sec. 11	<i>January 1, 2006</i>	9-158k

Statement of Purpose:

To allow people to register to vote and cast ballots on the day of a primary or election.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. DEFRONZO, 6th Dist.

S.B. 59